

Serial No. 10/817,521

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Inventor(s) Paul D. Perry, et al.  
Serial No. 10/817,521 Group Art Unit : 3753  
Filing Date 04/05/2004  
Docket No 2003P04912US-01 Examiner: Schneider, Craig M  
Title Valve Apparatus

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ARLINGTON, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT**

SIR:

The owner, Siemens VDO Automotive Corporation, of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,889,669 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of

BEST AVAILABLE COPY

06/21/2006 REF:ADU1 00000043 10817521

02 FC:1814

130.00 OP

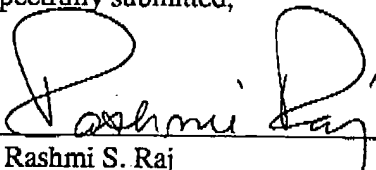
Serial No. 10/817,521

said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

The undersigned is an attorney of record.

Respectfully submitted,

By   
Rashmi S. Raj  
Reg. No. 50,500  
Telephone: (732) 321-3872

SIEMENS CORP.  
Intellectual Property Dept.  
170 Wood Avenue South  
Iselin, NJ 08830

Date: June 19, 2006